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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,448	. 03/17/2004	Vijay K. Sinha	699-02-PA	3993
22145 7:	590 12/08/2006		EXAM	INER
KLEIN, O'NEILL & SINGH, LLP			DEBERADINIS, ROBERT L	
43 CORPORA' SUITE 204	TE PARK ·		. ART UNIT	PAPER NUMBER
IRVINE, CA 92606			2836	
•		•	DATE MAILED: 12/08/2006	6

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/802,448	SINHA, VIJAY K.				
Office Action Summary	Examiner	Art Unit				
	Robert DeBeradinis	2836				
The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet w	ith the correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D.  - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period.  - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailine earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNI 136(a). In no event, however, may a will apply and will expire SIX (6) MOI te, cause the application to become A	CATION. reply be timely filed  NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).				
Status	•					
1)⊠ Responsive to communication(s) filed on 23 A	August 2006.					
<del>,</del>						
·—	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4)⊠ Claim(s) <u>1-20</u> is/are pending in the application	٦.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-20</u> is/are rejected.		•				
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/	or election requirement.					
Application Papers						
9) The specification is objected to by the Examin	er.					
10)⊠ The drawing(s) filed on <u>17 March 2004</u> is/are:		jected to by the Examiner.				
Applicant may not request that any objection to the	•					
Replacement drawing sheet(s) including the correct	ction is required if the drawing	y(s) is objected to. See 37 CFR 1.121(d).				
11)☐ The oath or declaration is objected to by the E	xaminer. Note the attache	d Office Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign	n priority under 35 U.S.C.	§ 119(a)-(d) or (f).				
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documen		No although a Nila				
2. Certified copies of the priority documen		···				
3. Copies of the certified copies of the price	*	rreceived in this National Stage				
application from the International Burea  * See the attached detailed Office action for a lis		received				
See the attached detailed Office action for a lis	tor the certified copies flot	received.				
•	•	.*				
Attachment(s)		•				
1) X Notice of References Cited (PTO-892)	4) Interview	Summary (PTO-413)				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date.						
Information Disclosure Statement(s) (PTO/SB/08)     Paper No(s)/Mail Date	6) Other:	morniai Faterit Application				

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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2 are rejected under 35 U.S.C. 102(b) as being anticipated by CHEN 6,169,389.

Claim 1.

CHEN discloses a battery-less backup power supply for a telephone of a type that incorporates control electronics requiring an external source of power greater than that available from the loop of a Telco comprising: a capacitor (6) having a first lead coupled to ground; a circuit for charging the capacitor from at least one of the external power source and the local loop (Vs,2,T,R,3); and a circuit for coupling the charge of the capacitor to the control electronics of the telephone when the external power source is not functioning (4).

Claim 2.

CHEN discloses wherein the capacitor comprises an Electric Double Layer Capacitor (col. 5, line 7). The super capacitor is an EDLC device.

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## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over CHEN 6,169,389 in view of SHINER et al. 20030076642.

Claim 3.

CHEN discloses the backup power supply of claim 1.

CHEN does not disclose wherein the charging circuit comprises: a first diode having a first lead coupled to ground; and an electrical connection between the external power source and a second lead of the first diode and a second lead of the capacitor, whereby the capacitor is charged to the lesser of the breakdown voltage of the first diode and the voltage of the external power source when the external power supply is functioning.

SHINER teaches the above circuit configuration to protect the super capacitor (102) from an over voltage condition.

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the energy storage system to have the circuit arrangement as claimed above to protect the energy storage device from an over voltage condition.

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Claims 4-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over CHEN 6,169,389 in view of SHINER et al. 20030076642 in further view of KELLEY et al. 5,133,005.

Claim 4.

CHEN in view of SHINER discloses the backup power supply of claim 3.

CHEN in view of SHINER does not disclose the bridge rectifier having opposite first and second terminals coupled to the tip and ring signals of the local loop.

KELLEY et al. discloses the bridge rectifier (D4, figure 2C) connected in the claimed arrangement.

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the capacitor storage system to include the bridge rectifier to supply the Vs source to the storage device.

Claims 5-11.

KELLEY et al. discloses line powered pay telephone with power management including the microprocessor (U1) is programmable and will wake up responsive to a wakeup signal and will proceed according to its program (Figure 1,col. 3, lines 50-65+). Claims 12-17.

CHEN in view of SHINER in further view of KELLEY et al. discloses a batteryless backup power supply for a telephone of a type that incorporates control electronics requiring an external source of power greater than that available from the service loop of a Telco when the telephone is on-hook. Application/Control Number: 10/802,448 Page 5

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Claims 18-20.

CHEN in view of SHINER in further view of KELLEY et al. discloses a method for providing backup power to a telephone of a type that incorporates control electronics requiring an external source of power greater than that available from the service loop of a Telco when the telephone is on-hook without using batteries.

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (571) 272-8300.

RLD

**DECEMBER 4, 2006** 

PRIMARY EXAMINER